

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

PLAINTIFF AND DEFENDANT'S JOINT STATUS REPORT

NOW COME Plaintiff Bryan Riser (“Plaintiff”) and Defendant Esteban Montenegro (“Defendant”) and, in compliance with the Court’s Electronic Order of January 10, 2024, file this Joint Status Report regarding the status of discovery and a proposed briefing schedule for Defendant’s pending motion for summary judgment.

I.

Plaintiff has completed the discovery he needs to respond to Defendant's motion for summary judgment.

On July 10, 2024, Plaintiff served his Designation of Experts on Defendant. The designation includes a report from Kevin R. Horan, a cell phone and cell site analysis expert, as well as a declaration from Brent Maudlin, who Plaintiff contends is a fact witness with personal knowledge of the case, and who is identified as a potential expert on criminal investigations. Defendant is determining whether he needs to depose these witnesses, and will have made that decision within the next 7 days. In the event that Defendant decides he needs to depose these witnesses, Plaintiff will not oppose those depositions.

II.

In order to allow Defendant sufficient time to depose Kevin Horan and/or Brent Maudlin in the event Defendant determines such depositions are needed, and taking into account current trial settings of the parties' counsel, Plaintiff and Defendant propose the following briefing schedule for Defendant's motion for summary judgment:

- 1) Plaintiff's Response to Motion for Summary Judgment: September 6, 2024
- 2) Defendant' Reply to Response to Motion for Summary Judgment: September 20,2024

Respectfully submitted,

/s/ Don Tittle
Don Tittle
State Bar No. 20080200
don@dontittlelaw.com
Law Offices of Don Tittle
8350 N. Central Expressway, Suite M1085
Dallas, Texas 75206
(214) 522-8400
(214) 389-1002 (fax)
ATTORNEY FOR PLAINTIFF

/s/ Stephen D. Henninger

THOMAS P. BRANDT

State Bar No. 02883500

tbrandt@fhmbk.com

STEPHEN D. HENNINGER

State Bar No. 00784256

shenninger@fhmbk.com

CHRISTOPHER BRANDT

State Bar No. 24095984

cbrandt@fhmbk.com

FANNING HARPER MARTINSON

BRANDT & KUTCHIN, P.C.

One Glen Lakes

8140 Walnut Hill Lane, Suite 200

Dallas, Texas 75231

(214) 369-1300 (office)

(214) 987-9649 (telecopier)

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2024, I electronically filed the foregoing document with the Clerk of the Court through the ECF system and an email notice of the electronic filing was sent to all attorneys of record.

/s/ Stephen D. Henninger

STEPHEN D. HENNINGER